

LAW OFFICES  
**HENRY E. CRAWFORD**  
SUITE 900  
1150 CONNECTICUT AVENUE, N.W.  
WASHINGTON, D.C. 20036  
202-862-4395

TELECOPIER NUMBER  
202-828-4130

November 10, 1993

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Room 222  
Washington, D.C. 20554

Re: 

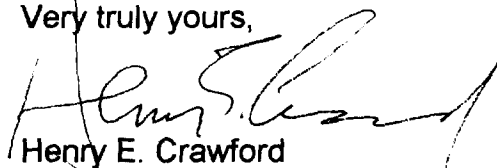
In the Matter of Implementation of Section 309(j) of the Communications Act Competitive Bidding PP Docket No.: 93-253
---

Dear Mr. Caton:

Transmitted herewith on behalf of Millin Publications, Inc. are an original and nine (9) copies of its "Comments of Millin Publications, Inc." as directed to the Commission.

Should any additional information be required, please contact this office.

Very truly yours,

  
Henry E. Crawford  
Counsel for  
Millin Publications, Inc.

cc: The Commission

No. of Copies rec'd  
List ABCDE



BEFORE THE  
**FEDERAL COMMUNICATIONS COMMISSION**  
WASHINGTON, D.C.

RECEIVED

NOV 11 0 1993

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )

Implementation of Section 309(j)  
of the Communications Act  
Competitive Bidding )  
)  
)  
)  
)

PP Docket No. 93-253

To: The Commission

COMMENTS OF MILLIN PUBLICATIONS, INC.

Henry E. Crawford

Law Offices of  
Henry E. Crawford  
1150 Connecticut Avenue, N.W.  
Suite 900  
Washington, D.C. 20036  
(202) 862-4395

Counsel for  
Millin Publications, Inc.

November 10, 1993

## TABLE OF CONTENTS

TABLE OF CONTENTS.....	i
SUMMARY .....	ii
I. INTRODUCTION.....	1
II. ARGUMENT.....	2
A. The Tentative Conclusion.....	2
B. A Subscription Service Finding Will Substantially Diminish The Public Interest Benefits Of PCS.....	5
C. A Non subscription Based PCS Will More Fully Promote The Objectives Contained in Section 309(j)(3) .....	8
1. Non subscription based PCS will promote the development and rapid deployment of new technologies, products and services for the benefit of the public, including those residing in rural areas, without administrative or judicial delays.....	9
2. Non subscription based PCS will promote economic opportunity and competition and ensure that new and innovative technologies are readily accessible to the American people by avoiding excessive concentration of licenses and by disseminating licenses among a wide variety of applicants, including small businesses, rural telephone companies, and businesses owned by members of minority groups and women. ....	11
3. Non subscription based PCS will promote recovery for the public of a portion of the value of the public spectrum made available for commercial use and avoidance of unjust enrichment through the methods employed to award uses of that resource .....	12
4. Non subscription based PCS will promote efficient and intensive use of the electromagnetic spectrum .....	12
D. The Principal Use of the Spectrum Will Most Likely Be Non Subscription PCS.....	13
III. CONCLUSION .....	15

## **SUMMARY**

Millin Publications, Inc. ("Millin") hereby submits its *Comments of Millin Publications, Inc.*, pursuant to the Commission's October 12, 1993 Notice of Proposed Rule Making ("**NPRM**"), regarding the implementation of Section 309(j) of the Communication's Act. Millin argues, *inter alia*, that the Commission should not lock Personal Communications Service ("PCS") into a subscription service economic mold. Instead, PCS technology should be given the freedom to grow in accordance with marketing models to be developed by PCS entrepreneurs. If allowed to grow along alternative economic and marketing models, subscription service PCS will likely be a small part of the use of the frequency as the technology gives way to marketing techniques possessing greater public interest.

BEFORE THE  
**FEDERAL COMMUNICATIONS COMMISSION**  
WASHINGTON, D.C.

RECEIVED

NOV 10 1993

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of	)	
	)	
Implementation of Section 309(j)	)	PP Docket No. 93-253
of the Communications Act	)	
Competitive Bidding	)	
	)	
	)	

To: The Commission

**COMMENTS OF MILLIN PUBLICATIONS, INC.**

Millin Publications, Inc. ("Millin"), by counsel, respectfully submits its *Comments of Millin Publications, Inc.*, pursuant to the Commission's October 12, 1993 Notice of Proposed Rule Making ("NPRM"), regarding the implementation of Section 309(j) of the Communication's Act concerning competitive bidding as a method of selection among new mutually exclusive applicants. In support thereof, the following is submitted:

**I. INTRODUCTION**

1. On October 12, 1993, the Commission released the NPRM seeking comments from interested parties concerning the application of Section 309(j) of the Communications Act in general and to specific services. Millin is a leading publisher of specialized information services for business, legal, and human resource professionals. It is a Delaware corporation headquartered in Washington, D.C. Millin intends to file applications in the Personal Communications Service ("PCS") when they become available.

2. Millin's comments are directed to the Commission's tentative conclusion that the PCS spectrum will primarily involve subscription services,

thereby bringing PCS within the ambit of Section 309(j).<sup>1</sup> Millin submits that casting PCS into a fixed economic mold will negatively impact the potential of the service and, therefore, be contrary to the public interest. Moreover, since the number of subscribers in any market is limited and some are already being served by other mobile technologies, other modes of compensation will have to prevail if all of the frequency blocks allocated by the Commission are to be fully utilized.

3. As an applicant, Millin intends to propose a PCS system based on an economic model more closely aligned to that found in the broadcast industry which provides universal free service to users based on the sales engine of American commerce. Should the Commission decide to open PCS to non subscription licensees, Millin and others will be able to deliver a wide range of innovative applications to the general public on a non subscription basis. Therefore, Millin respectfully requests that the Commission find the PCS spectrum not to be primarily a subscription service medium.

## **II. ARGUMENT**

### **A. The Tentative Conclusion**

4. Throughout the PCS rule makings, the Commission has been sensitive to the fact that PCS will eventually emerge across a wide range of services and applications.<sup>2</sup> Consequently, from a technical standpoint, the Commission has steadfastly refused to confine PCS technology to restrictive approaches that would only tend:

---

<sup>1</sup> NPRM, p. 39, ¶ 116.

<sup>2</sup> E.g., Amendment of the Commission's Rules to Establish New Personal Communications Services, Second Report and Order, ("PCS Order") FCC 93-451, released October 22, 1993, p. 25, ¶ 55: "...commenting parties and the PCS experiments suggest a wide range of PCS services and concepts that are likely to have differing spectrum requirements."

... to have a chilling effect on innovation and creativity that would diminish rather than encourage the introduction of new PCS applications.

PCS Order, p. 14, ¶ 24. Since, for the most part, the shape of PCS services is still unknown, the Commission has wisely avoided placing technical constraints on PCS.

5. While leaving PCS open in terms of its technical aspects, the “subscription services” classification presents a narrow and very limited economic model for PCS. It is perhaps satisfactory only to the extent that PCS is seen in a limited sense as a species of advanced cellular service. While a subscription service model may well have been an appropriate economic model for the cellular industry,<sup>3</sup> that service has largely been confined to pure voice communication and did not have the advanced data carrying capability inherent in PCS.

6. Over the past decade, computer applications have consistently resisted traditional intellectual property and marketing concepts. Individual entrepreneurs sometimes starting with only a “shareware” product have, in some cases, grown to eclipse large hardware manufacturers who remained bound to traditional marketing approaches. Similarly, PCS offers the opportunity to create a nationwide data and voice based PCS which will follow the broadcast analogy and provide consumers with universal free access. Millin, for example, intends to apply for and construct a PCS network that will allow purchasers of goods to pay for their items electronically using hand held Personal Digital Assistants (“PDA”). Use of the system would be universally free to all who could afford the

---

<sup>3</sup> It may be that a subscription basis has not served the public interest in the cellular arena. As recognized by the Commission “millions of subscribers...have been foreclosed from participating in the wireless revolution of the past decade.” PCS Order, p. 10, ¶ 15.

hardware. Compensation would in this case come in the form of a minimal transaction charge paid by the vendor to attract customers who prefer the convenience and safety of using electronic money or "e-cash". As a licensee, Millin would maintain the required data base, keep account of transactions and also provide paid advertising and promotional items along with public interest data to users on the system. PCS, based as it is on digital information, lends itself to a variety of applications that will be transaction based and available to users on a wholly free non subscription basis. To bind PCS to a subscription based economic model will stifle it from the outset.

7. The tentative conclusion reached by the Commission for classifying the PCS as a subscription service is stated in the NPRM as follows:

Judging from the nature of the comments and the identity of the commenters that we have received to date in the PCS proceedings, we anticipate that many PCS licensees will operate in the manner contemplated by new Section 309(j)(2)(A). Specifically, we expect the principal use of PCS spectrum, considered as a class, is reasonably likely to involve the licensee receiving compensation from subscribers in return for enabling those subscribers to transmit or receive communications on frequencies on which the PCS licensee is authorized to operate.

NPRM, p. 39, ¶ 116. As the Commission states in this passage, the subscription service finding is a matter of speculation gelled from the comments and the identity of the parties. However, the proceeding to date has been primarily limited to technical issues. The actual technologies and methods of compensation that will emerge in PCS will not truly be known until PCS entrepreneurs begin to design PCS applications and introduce them to the general public. It would unduly limit the breadth of this new technology for the Commission to impose a limited economic model on PCS on the basis of



inferences made from the comments and commentaries in the initial allocation rule making. Millin submits that more than that is needed to cast the economic shape of technology that will be with us well into the next century.

8. In sum, Millin submits that PCS will lend itself to a wide range of applications and economic models that will not involve the licensee receiving compensation from subscribers in return for enabling those subscribers to transmit or receive communications on the frequencies held by PCS licensees. In any event, there is not enough empirical data accumulated to date to make a finding that PCS will be a subscription service oriented technology. Nevertheless, should the Commission impose this economic cast on PCS, the result will only lead to a narrower PCS with the benefits of the technology spread across fewer members of the public. Therefore, the Commission must not hold PCS to be a primarily subscription service technology.

**B. A Subscription Service Finding Will Substantially Diminish The Public Interest Benefits Of PCS**

9. As commenters before the Commission have observed, the subscription based cellular service has not become universally affordable by the general public. Nor is it likely to become universally available in the near future. On the other hand, the broadcast industry has demonstrated the quick, efficient and universal deployment of communications technology. However, the cost of transmitting and receiving equipment in broadcast is comparable, if not actually higher, than that found in the cellular service. Millin submits that the difference between the two services is that cellular relies on a subscription form of compensation while broadcast is fueled by the engine of commerce and the sheer breadth of its audience.

10. Under a subscription service economic model, only the licensee receives the direct economic benefits of the technology. Businesses subscribe to a service in order to create efficiencies or to otherwise enhance their own delivery of goods and services. However, that is only a secondary effect of the system. Individual subscribers, reap hardly any economic gain at all, leaving the use of such a service to the few who can afford it. A broadcast economic model, on the other hand, shares the economic benefits of the technology with its advertisers. Moreover, the general public receives the benefit of the information and entertainment capabilities of PCS for the small price of allowing industry to market their products through that medium.

11. PCS holds out a promise similar to that of broadcasting. In terms of information, Millin anticipates that PCS will allow consumers to browse through PDAs in order to find direct street directions to stores along with store hours as well as items then on sale. The cost of that convenience will come, not from the public, but from retailers willing to pay advertising costs for having their stores maintained in the licensee data base. However, in a subscription based service, it is the consumer who will have to bear that cost.

12. Similarly, PCS will lead the way as an entertainment medium allowing users to play a wide assortment of interactive games with other users on the system. In a non subscription bases system, the charge for playing can be picked up as a transaction charge and billed to the consumer from the game vendor with the licensee taking a minimal percentage of each receipt. Moreover, since the PCS licensee will serve only as the gateway to such entertainment and information vendors, the public will benefit by receiving a far greater variety of applications than in a closed, subscription based service. PCS applications delivered by a centrally located non subscription PCS licensee will take

advantage of the digital structure of PCS communication in delivering a variety of applications with innovative transactional price structures.

13. Regardless of the application, a subscription service licensee, getting its compensation from its subscribers, will have little incentive to promote free and innovative marketing and entertainment uses of PCS. The non subscription service licensee, on the other hand, will be working with the local business community to provide wide audience promotional uses of PCS that will be delivered to the user at little or no cost. This will spread the benefit of PCS to the business community and will allow PCS to act, like television, as yet another marketing arm fueling the national economy. In this vein, consumers will benefit not only from the service being universally free, but also from dynamic advertising concepts such as real time comparison shopping. That will allow a customer considering a purchase to use a PDA to compare the price of that item against a real time data base of advertised sale prices. In a subscription based service the consumer-subscriber will have to pay for such information, if it is available at all.

14. Should the Commission cast PCS as a subscription based service, there will be no incentive to spark PCS into developing the many innovative promotional and marketing applications that will be available if the service is made universally free to all consumers on a non subscription basis. As a subscription service to be auctioned off among the giant telecommunications companies, users will be charged high premiums since it is the consumer alone who will have to pay the cost of the enormous auction prices and cost of construction. Moreover, the only direct economic beneficiary will be the licensee. In non subscription PCS the consumer will benefit since there will be no auction cost and the actual system costs will be borne by the companies who

will promote their goods and services across the PCS system to the consumer. Therefore, the beneficiaries will not only be the licensees but the consumer and American business as a whole by gaining yet another powerful marketing arm.

15. In sum, not only has the Commission no rational basis for casting PCS as a subscription only system, it would be against the public interest to do so. Millin submits that what income is lost to the treasury now in terms of auction fees will be more than made up for by the added marketing power that will be placed in the hands of American business. The wide range of applications, vendors and developers on such a systems will also lead to the creation of many new jobs across the country, whereas a closed subscription service licensee will create only in-house jobs at the prevailing telecommunications firms.

16. The choice for the Commission will be whether to establish a dynamic and market driven mobile arm of the emerging information highway, or yet another subscription based communication service costly to consumers and benefiting only the licensee. Millin submits that a subscription service based PCS will follow the path of similar services existing today as opposed to a new partnership between American business, the consumer and the licensee. The public interest, therefore, rests with non subscription PCS.

**C. A Non subscription Based PCS Will More Fully Promote The Objectives Contained in Section 309(j)(3)**

17. Millin submits that not only does subscription based PCS fail the test under Section 309(j)(2)(A), it is not to be preferred over non subscription PCS under the criteria set out in Section 309(j)(3). Consequently, as will now be demonstrated, non subscription PCS more clearly satisfies the demands of each category.

**1. Non subscription based PCS will promote the development and rapid deployment of new technologies, products and services for the benefit of the public, including those residing in rural areas, without administrative or judicial delays.**

18. In terms of rapid development and deployment, one need only compare the time that it took to rollout the broadcast television service with the time that it took (and is still taking) to rollout subscription based cable TV. That time lag shows how quickly industry and the public are willing to deploy a new communications technology which is available in the first instance on a universally free basis to all consumers. Moreover, a non subscription based service will more readily employ new technologies, products and services since the source of revenues will not be the consumer but will come from the creativity and talent of the marketing arm of American business. As in broadcast, that market incentive will bring the service to a wide range of localities both urban and rural. Finally, the benefit to the public is obvious since, it will be afforded a new and universally free telecommunications technology.

19. From a technical standpoint, non subscription PCS will more quickly evolve a set of widely adopted standards. Subscription PCS will be built system by system with the only concern being making the service available to particular sets of subscribers regardless of standards. On the other hand, non subscription PCS will require gaining the largest possible audience in each market. Consequently, non subscription PCS will need to technically support as wide a range of mobile devices as possible. This will require an open architecture approach with equipment manufacturers designing and building devices for huge ready markets. This open architecture will promote competition among equipment manufacturers and will create jobs in those areas of the economy.

20. The only concern identified by the Commission in the NPRM involves comparative hearings.<sup>4</sup> Millin agrees that in the past comparative hearings have been a slow and less than satisfactory way of selecting licensees. However, that is not the only method of selecting the best licensee. That determination can be made by the staff on the basis of a paper review of submitted applications. Removing the traditional elements of discovery, cross-examination and the actual hearing itself will result in a licensee being selected on the basis of its proposal rather than the "fine points of law" alluded to in the NPRM.<sup>5</sup> Millin submits that a paper review of applications will be able to determine which applicant among all applicants has presented a proposal that 1) is more substantially able to be accomplished in terms of financing, 2) is technically superior and 3) offers more services and benefits to the public.

21. Such a process as just outlined, will require applicants to concentrate their resources on actually designing a sound proposal to be submitted at the application stage rather than concentrating almost all of the applicant's resources on legal fees. Since the selection criterion specifically entails only the soundness of the proposal, sham applicants and those without a technically or financially feasible proposal will be deterred from filing at all and weeded out early should an application be made. Finally, by selecting licensees on the basis of their respective proposals, the Commission will not have abdicated its decision making responsibility. Instead, the American consumer

---

<sup>4</sup> NPRM, pp. 39-40.

<sup>5</sup> Even the most cursory examination of present day comparative hearings reveals a process which has long ago drifted away from the merits of applicants' proposals into a twilight zone of legal maneuvering. While little is ever covered in terms of the merits of an applicant's proposed service, much effort is devoted to the fine points of corporate and partnership law and a seemingly endless debate as to who is, and who is not, going to work at the facility at some time in the future. Moreover, cross-examination holds out the prize of disqualifying an opponent should an applicant be unskilled in withstanding court room confrontation.

will be assured of the highest quality PCS licensees with technically sound and economically viable systems.

**2. Non subscription based PCS will promote economic opportunity and competition and ensure that new and innovative technologies are readily accessible to the American people by avoiding excessive concentration of licenses and by disseminating licenses among a wide variety of applicants, including small businesses, rural telephone companies, and businesses owned by members of minority groups and women.**

22. Non subscription PCS holds out the greatest hope for developing new and innovative technologies and applications. Since the technology will be driven by marketing concepts, the quality and variety of applications will be far greater than subscription PCS which is driven solely by user fees. Those applications will also bring direct marketing outlets to local businesses both large and small who are not even licensees. As for the licensees, since non subscription PCS will rely on the licensee bringing together the needs of consumers and vendors, a strong advantage will be had by local and small entrepreneurs.

23. As Commissioner Barrett argued in his dissenting statement, small businesses will enter subscription based PCS at a severe capital and competitive disadvantage against monolithic telecommunications companies in a saturated wireless market.<sup>6</sup> Only non subscription PCS will allow small concerns to develop the unique and local market driven applications that will be competitive in the overall PCS landscape. On the other hand, should the Commission deem PCS a subscription service, the finite pool of subscribers will form a barrier to the viability of PCS on all of the channels allocated in the PCS

---

<sup>6</sup> See, e.g., Dissenting Statement of Commissioner Andrew C. Barrett, p. 6.

Order. Subscription PCS, with its revenues limited by the number of subscribers will only allow a small handful of viable players.<sup>7</sup>

24. In sum, only non subscription PCS will allow room for technological growth and competitiveness for small, local, minority and female owned business. Moreover, it will directly benefit local businesses who will use PCS applications as a marketing tool.

**3. Non subscription based PCS will promote recovery for the public of a portion of the value of the public spectrum made available for commercial use and avoidance of unjust enrichment through the methods employed to award uses of that resource.**

25. Since subscription PCS will be subject to competitive bidding, in the short run the government will recover a portion of the value of the spectrum made available by the Commission. However, in long run, the direct benefit to the public of a universal subscription free service along with the benefits to the national economy through the marketing opportunities available in non subscription PCS will outweigh the funds obtained up front.

**4. Non subscription based PCS will promote efficient and intensive use of the electromagnetic spectrum**

26. As already mentioned, a subscription based PCS is limited by the finite pool of subscribers. Non subscription PCS is unlimited since a licensee will be able to grow, modify and change applications in direct response to changing market conditions. Moreover, those applications, being data intensive will utilize the spectrum in a far more efficient fashion than subscription based

---

<sup>7</sup> The picture drawn by Commissioner Barrett clearly shows the failings of subscription PCS: "...small business will scramble from day one to : 1. Raise capital; 2. bid for spectrum; 3. pay to move fixed microwave licensees where necessary; 4. build out their areas; and 5. find a niche against 2 large MTAs, cellular with PCS spectrum, LESs with MTA or BTA spectrum ESMR operators and 900 MHz PCS data providers." Dissenting Statement, p. 12.



services. Therefore, non subscription PCS will bring greater spectrum efficiencies along with its greater economic efficiencies.

**D. The Principal Use of the Spectrum Will Most Likely Be Non Subscription PCS**

27. The Congress has mandated that competitive bidding cannot be applied unless here is a specific finding that the principal use of the spectrum must involve or be reasonably likely to involve the retransmission or reception of communication signals to subscribers for compensation. In the case of PCS, the Commission must make its finding as to compensation with a technology that has not yet been substantially designed or implemented. To further complicate the picture, PCS has been given an unusually broad technical definition. Consequently, in the case of both broadband and narrowband PCS, the Commission has no rational basis upon which to decide for the entire class of PCS technologies exactly what economic model will be principally used.

28. Although the cellular industry may serve as a starting point in sorting out the likely economic model, that analogy does not hold up. In broadband PCS, the Commission has allocated 7 frequency blocks with two 30 MHz blocks designated Major Trading Area ("MTA") operation and the rest for Basic Trading Area ("BTA") operation.<sup>8</sup> Yet it is impossible to believe that consumers will pay subscription fees to more than one licensee. Additionally, one must also account for the subscription services already being provided by existing cellular carriers. Therefore, given the finite pool of subscribers and the fact that it is highly unlikely that consumers will purchase multiple subscriptions, the service can only carry one or at most two subscription based licensees. All other licensee, including narrowband PCS licensees will have to develop

---

<sup>8</sup> PCS Order, p. 26, ¶¶ 56-57; p. 34, ¶¶ 76-77.

applications that are either niche based or which will employ another economic model. Therefore, given the number of channels, the existing subscription based services and the finite number of potential subscribers, subscription based PCS will most likely not be the principal use of the spectrum.

29. Millin submits that until PCS has been given a chance to freely develop viable technical and economic models, it would be improper for the Commission to freeze the service into a subscription based model, particularly in view of the compelling arguments against imposing that model on the technology. Millin further submits that the only way to rationally make the finding required by Congress is to review the actual applications of entrepreneurs and require them to specify a viable financial plan and method of compensation. Should all the applications for a channel block indicate a subscription based service, competitive bidding will be appropriate. On the other hand, should an applicant propose a viable non subscription means of compensation, the public interest in such a service is so substantial that the Commission should award the license to that applicant.

30. While the system suggested by Millin will admittedly create a greater burden on the Commission, the public interest in obtaining a universal free service is so great that it would be grossly negligent for the Commission to freeze this budding industry into an economic model that may not be either practical or desirable simply to avoid an administrative burden. Moreover, as suggested above,<sup>9</sup> this determination could be made at the initial application stage and the selection of the best applicant would be a matter of a technical review based on a handful of objective factors. At this point in the development

---

<sup>9</sup> See previous discussion regarding comparisons between applications, *supra*, ¶ 17.

of PCS technology, adoption of such a method would 1) properly permit competitive bidding only where appropriate, 2) allow for diverse technical and economic uses of PCS and 3) uphold the public right to be given the best practicable service.

31. In sum, although the recognition of PCS as a mostly non subscription based service will limit the amount of revenue that would otherwise be obtained by competitive bidding, Congress did not intend for the Commission to limit the breadth of emerging technologies by locking them into a specific economic model. In the case of PCS, given the finite number of potential subscribers and the number of already existing subscription services, it is unlikely that more than one subscription based PCS system is economically viable. Therefore, Millin respectfully submits that the Commission adopt a selection method that involves competitive bidding only where all applications indicate use of a subscription based service. In all other cases the public interest mandates that the Commission select the most qualified non subscription applicant based on clearly articulated and objectively defined public interest standards.

### **III. CONCLUSION**

32. Subscription service PCS will, at best, be a limited use of the technology. It is limited in terms of both the finite pool of potential subscribers as well as the array of applications that subscription service licensee will have an incentive to develop. Non subscription PCS, on the other hand, holds out the promise of universal free service to consumers, based on cooperative marketing efforts made by the licensee and businesses. Moreover, non subscription PCS is more likely to give rise to new and creative applications of the technology in the same way that the broadcast service constantly develops new and diverse programs. In any event, to limit the economic models available to PCS before there has been any implementation of the technology, would be contrary to the public interest. Therefore, Millin respectfully requests that the Commission not deem PCS as a class to be a subscription based service.

**WHEREFORE**, Millin Publications, Inc. respectfully requests that its *Comments of Millin Publications, Inc.* be accepted and adopted by the Commission.

November 10, 1993

Law Offices of  
Henry E. Crawford, Esq.  
1150 Connecticut Avenue, N.W.  
Suite 900  
Washington, D.C. 20036  
(202) 862-4395

Respectfully Submitted,

Millin Publications, Inc.

By:   
Henry E. Crawford

Its Attorney